

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YEVGEN MERCHANTSKYY, : CIVIL ACTION  
Plaintiff :  
VS. :  
MICHAEL J. ASTRUE, :  
Commissioner of Social Security, :  
Defendant : NO. 10-4221

FILED  
JUN 23 2011  
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

MARY A. MCLAUGHLIN, J.

AND NOW, this 23 day of May, 2011, upon consideration of the plaintiff's request for review, defendant's response to request for review, and plaintiff's reply, and after careful review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Request for Review is GRANTED IN PART and DENIED IN PART;
3. The case is REMANDED in accordance with the fourth sentence of 42 U.S.C. Section 405(g) to the Commissioner of the Social Security Administration for further review consistent with the Report and Recommendation of United States Magistrate Linda K. Caracappa.

It is so ORDERED  
BY THE COURT:

  
MARY A. MCLAUGHLIN, J.